

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION

51

May 13, 2003

FROM: MICHAEL A. RAMOS
District Attorney

SUBJECT: AUTHORIZE THE OFFICE OF THE DISTRICT ATTORNEY, BUREAU OF INVESTIGATIONS TO OPEN CREDIT CARD ACCOUNTS FOR USE IN CONSUMER FRAUD INVESTIGATIONS.

RECOMMENDATION: Authorize the Office of the District Attorney, Bureau of Investigations to open credit card accounts as necessary for use in consumer fraud investigations.

BACKGROUND INFORMATION: The District Attorney's Special Prosecutions Group was established in 1991 to specifically prosecute crimes such as hazardous waste dumping, consumer fraud and violations of Cal-OSHA laws.

Two years ago, an investigator was assigned to specifically investigate consumer fraud violations. In order to prove the elements of the crime, Consumer Fraud investigations require occasional expenditures of funds that establish the criminal conduct and demonstrate the suspect's true intent. There has been a tremendous growth in consumer crime that is committed via the Internet. In order to investigate fraud committed over the Internet, a credit card is necessary, as credit cards are the most commonly used method of payment over the Internet.

Working in conjunction with the Auditor Controller's Office, the District Attorney's Office has established an extensive policy that provides for the usage of any credit card issued for such purpose and for the routine auditing of such usage. Both the DA's Office and ACR are confident that the operational procedures outlined in the DA's policy on credit card usage are sufficient to ensure proper oversight and appropriate usage of any credit card in conjunction with a sanctioned investigation.

Government Code Section 29400 established a fund for the District Attorney to pay for expenses incurred in criminal cases and detection of crime in the county. This fund will be used to pay for credit card expenditures in the investigation of consumer fraud.

REVIEW BY OTHERS: This item has been reviewed by the Auditor/Controller-Recorder (Barbara Redding, Internal Audits Manager) on April 23, 2003; County Counsel (Scott Runyan, Deputy County Counsel) on April 24, 2003; and the County Administrative Office (Mario Lara, Administrative Analyst) on May 2, 2003.

Page 1 of 2

Record of Action of the Board of Supervisors

51

BOARD OF SUPERVISORS

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May 13, 2003

Page 2 of 2

51

FINANCIAL IMPACT: Approval of this item authorizes the District Attorney's Office to open credit card accounts as necessary for consumer fraud investigations. Expenditures on the account will be paid from the existing District Attorney Investigation Fund. There is no additional Local Cost associated with this request.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: James B. Hackleman, Assistant District Attorney, 387-6601

51